

# **EXHIBIT 187**

IN THE UNITED STATES COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

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IN RE: NATIONAL PRESCRIPTION MDL NO. 2804  
OPIATE LITIGATION

Case no.  
17-mdl-284  
Judge Dan Polster

This document relates to:  
The County of Summit, Ohio, et al.,  
V.  
Purdue Pharma L.P., et al.,  
Case No. 1:18-OP-45090 (N.D. Ohio)

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Continued deposition of  
PATRICK LEONARD, VOLUME II  
PORTIONS OF THE TRANSCRIPT ARE DESIGNATED

CONFIDENTIAL

March 27, 2019

11:03 a.m.

Taken at:  
Ulmer & Berne  
1660 W. Second Street  
Cleveland, Ohio  
Wendy L. Klauss, RPR

1 actually, a search warrant affidavit, does this  
2 appear to be a document that you recall seeing  
3 before today?

4 A. Yes, it is.

5 Q. And does this email and search  
6 warrant and the evidence relate to the  
7 investigation of Dr. Harper?

8 A. It does.

9 Q. And do you understand that this  
10 warrant or this affidavit was in support of a  
11 state search warrant?

12 A. It was, but to be specific, this is  
13 not an affidavit for the search warrant. This  
14 was a rough draft by Agent Tom Miksch that was  
15 sent to me. This is not what was typed by me  
16 and given to a judge as an affidavit. Part of  
17 this information is in there, but this is not  
18 the actual affidavit that was turned in.

19 Q. Right. Understood. That makes  
20 perfect sense. And actually, if you wouldn't  
21 mind, I want to replace the version that's  
22 going to be in the record with a clean copy. I  
23 apologize for giving you my version.

24 MR. LEDLIE: And, counsel, to be  
25 clear, the identity of the individuals will be

1 redacted in this or not?

2 MR. MOYLAN: Yes. I think that's  
3 fair.

4 Q. And just on the draft search  
5 warrant affidavit, I would like to direct your  
6 attention to the third paragraph from the  
7 bottom that begins, "Statement to affiant by  
8 agent Thomas Miksch"; do you see the  
9 paragraph --

10 A. Yes, sir.

11 Q. -- that I'm referring to.

12 And do you see in that first  
13 sentence that I was reading from, a statement  
14 that, "On January 4, 2011, Miksch personally  
15 spoke with -REDACTED-, a licensed pharmacist  
16 in the State of Ohio, regarding Dr. Adolph  
17 Harper MD, a prescriber in Akron, Ohio"; do you  
18 see that?

19 MR. LEDLIE: Counsel, I requested  
20 and now move to strike that. If you could  
21 reask the question leaving out the identity of  
22 the pharmacist, her name.

23 MR. MOYLAN: That's fine. I  
24 apologize. Let me -- we will strike that or  
25 remove it from the deposition record, as we

1 can.

2 Q. But my question to you is: Is this  
3 consistent with your understanding of the  
4 investigation with Agent Miksch regarding a  
5 pharmacist by this name who came forward on or  
6 around January 4, 2011?

7 MR. BENNETT: Objection. Beyond  
8 the scope of his authorization. To the extent  
9 that are asking about his activities or his  
10 knowledge of the investigation, he can answer  
11 whether or not he is aware of the named  
12 pharmacist providing information, providing a  
13 tip.

14 A. I'm aware that -REDACTED- is a  
15 pharmacist and -REDACTED- did provide a tip.

16 MR. LEDLIE: Let's just redact it.  
17 A pharmacist.

18 A. I'm sorry. A pharmacist.

19 Q. Without referring to the name, try  
20 to remember that caveat, but without referring  
21 to -REDACTED- name again, do you know where this  
22 individual pharmacist worked?

23 A. I do.

24 Q. And where was that?

25 A. -REDACTED- worked at the Rite Aid Pharmacy

1 on Kenmore Boulevard in Akron.

2 Q. Thank you. If I could direct your  
3 attention to the next page, in the middle of  
4 that page is a long paragraph that indicates  
5 that on March 15, 2011, Agent Miksch met with  
6 another individual, who is indicated as being a  
7 licensed pharmacist in the State of Ohio,  
8 regarding information about Dr. Harper; do you  
9 see that?

10 A. I do.

11 Q. And can you verify that this named  
12 individual is also a licensed pharmacist who  
13 came forward as part of the Harper  
14 investigation?

15 A. Yes, I can.

16 Q. And do you know where this  
17 individual worked?

18 A. I do.

19 Q. And where was that?

20 A. Highland Square Pharmacy on West  
21 Market Street in Akron.

22 Q. Do you -- strike that. That's  
23 enough for that.

24 - - - - -

25 (Thereupon, Deposition Exhibit 20,

1 both from Walgreens, 900 Wooster Road,  
2 Barberton, on those dates.

3 Q. Okay. And can you also validate  
4 that a complaint was received from Giant Eagle,  
5 the next item on that chart, on or around March  
6 21, 2011?

7 A. Yes, that appears to be the case as  
8 well.

9 Q. Okay.

10 - - - - -

11 (Thereupon, Deposition Exhibit 21,  
12 License Look Up, Adolph Harper, was  
13 marked for purposes of  
14 identification.)

15 - - - - -

16 Q. This document I can represent I  
17 obtained online from the Ohio licensing portal  
18 available publicly, and this appears to refer  
19 to the voluntary surrender of Dr. Harper's  
20 investigation.

21 Without revealing anything that you  
22 may have learned as a TDS task force officer,  
23 is this consistent with your understanding of  
24 the public information about the status of Dr.  
25 Harper's license?

1           A.       Yes.

2           Q.       Is it also consistent with the  
3       timeframe that you are aware from public  
4       sources of the voluntary surrender of his  
5       license?

6           A.       Yes.

7                       -   -   -   -   -

8                       (Thereupon, Deposition Exhibit 22,  
9                       Press Release From U.S. Attorney's  
10                      Office For the Northern District of  
11                      Ohio From February 1, 2015, was  
12                      marked for purposes of  
13                      identification.)

14                      -   -   -   -   -

15          Q.       I hand you what has been marked as  
16       Exhibit 22. This is a press release from the  
17       U.S. Attorney's Office for the Northern  
18       District of Ohio from February 1, 2015.

19               As you had stated earlier, the  
20       press release states that Dr. Harper was  
21       sentenced to ten years in prison for illegally  
22       prescribing hundreds of thousands of doses of  
23       painkillers and other pills to customers for no  
24       legitimate medical purpose, even after at least  
25       eight customers died from overdose deaths,